

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

AESHIA REMAE WILLIS ,

Plaintiff,

v.

KING COUNTY CORRECTIONAL  
FACILITY,

Defendant.

CASE NO. 2:25-cv-01319-BJR-BAT

**SERVICE ORDER**

This is a civil rights action brought pursuant to 42 U.S.C. § 1983. Plaintiff is proceeding with this action *pro se* and *in forma pauperis*. Plaintiff is currently detained at the Washington Corrections Center for Women and is accordingly subject to the Court's Mandatory E-Filing Project under General Orders 02-15 and 06-16. Any pleading Plaintiff files that does not comply with the E-Filing Project may be stricken. The Court, having reviewed plaintiff's complaint, hereby ORDERS as follows:

(1) Service by Clerk

The Clerk is directed to send via U.S. Mail a copy of the complaint, a copy of this Order, a copy of the notice of lawsuit and request for waiver of service of summons, and a waiver of service of summons to Defendant King County Jail, at 500 5<sup>th</sup> Ave., Seattle, WA 98104, and to

1 the King County Prosecuting Attorney's Office, King County Courthouse, 516 Third Ave.,  
2 W400, Seattle, WA 98104.

3 (2) Response Required

4 Defendant shall have **thirty (30) days** within which to return the enclosed waiver of  
5 service of summons. A defendant who timely returns the signed waiver shall have **sixty (60)**  
6 **days** after the date designated on the notice of lawsuit to file and serve an answer to the  
7 complaint or a motion permitted under Rule 12 of the Federal Rules of Civil Procedure.

8 A defendant who fails to timely return the signed waiver will be personally served with a  
9 summons and complaint and may be required to pay the full costs of such service, pursuant to  
10 Rule 4(d)(2) of the Federal Rules of Civil Procedure.

11 (3) Filing and Service by Parties, Generally

12 All attorneys admitted to practice before this Court are required to file documents  
13 electronically via the Court's CM/ECF system. Counsel are directed to the Court's website,  
14 [www.wawd.uscourts.gov](http://www.wawd.uscourts.gov), for a detailed description of the requirements for filing via CM/ECF.  
15 Plaintiff shall file all documents electronically. All filings must indicate in the upper right corner  
16 the name of the magistrate judge to whom the document is directed.

17 Any document filed with the Court must be accompanied by proof that it has been served  
18 upon all parties that have entered a notice of appearance in the underlying matter. Plaintiffs who  
19 are subject to the Court's E-Filing Initiative shall indicate the date the document is submitted for  
20 e-filing as the date of service.

21 (4) Non-State Defendants

22 As a registered user of the Court's electronic filing system, you must accept electronic  
23 service of all court filings (**except** original service of a complaint) by prisoner litigants housed at

1 facilities actively engaged in the Prisoner E-Filing Initiative. Prisoner litigants incarcerated at  
2 facilities actively engaged in the Prisoner E-Filing Initiative are no longer required to serve their  
3 court filings on the Court or defendants by mail. Service by mail of your court filings to prison  
4 litigants housed in facilities actively engaged in the Prisoner E-Filing Initiative is also no longer  
5 required.

6 (5) Motions, Generally

7 Any request for court action shall be set forth in a motion, properly filed and served.  
8 Pursuant to LCR 7(b), any argument being offered in support of a motion shall be submitted as a  
9 part of the motion itself and not in a separate document. The motion shall include in its caption  
10 (immediately below the title of the motion) a designation of the date the motion is to be noted for  
11 consideration upon the Court's motion calendar.

12 The motion shall be noted in accordance with LCR 7(d). Motions including stipulated  
13 and agreed motions, motions to file over-length motions or briefs, motions for reconsideration,  
14 joint submissions pursuant to the optional procedure established in LCR 37(a)(2), motions for  
15 default, requests for the clerk to enter default judgment, ex parte motions, motions to recuse, and  
16 motions for a temporary restraining order shall be noted for consideration on the day they are  
17 filed. LCR 7(d)(1). Other non-dispositive motions shall be noted for consideration no earlier  
18 than 21 days from the date of filing. LCR 7(d)(3). All dispositive motions, and motions such as  
19 a motion seeking a preliminary injunction or a motion directed toward changing the forum, shall  
20 be noted for consideration no earlier than 28 days after filing. LCR 7(d)(4).

21 For electronic filers, any opposition to a non-dispositive motion shall be filed and  
22 received by the moving party no later than 15 days after the filing date of the motion, and any  
23 reply shall be filed and received by the opposing party no later than 21 days after the filing date

1 of the motion. LCR 7(d)(3). Any opposition to a dispositive motion by an electronic filer shall  
2 be filed and received by the moving party no later than 21 days after the filing date of the motion  
3 and any reply shall be filed and received by the opposing party no later than 28 days after the  
4 filing date of the motion. LCR 7(d)(4).

5 (6) Motions to Dismiss and Motions for Summary Judgment

6 Parties filing motions to dismiss pursuant to Rule 12 of the Federal Rules of Civil  
7 Procedure and motions for summary judgment pursuant to Rule 56 of the Federal Rules of Civil  
8 Procedure should acquaint themselves with those rules. As noted above, these motions shall be  
9 noted for consideration no earlier than 28 days after filing and service of the motion.

10 Defendants filing motions to dismiss based on a failure to exhaust or motions for  
11 summary judgment are advised that they MUST serve a *Rand* notice concurrently with motions to  
12 dismiss based on a failure to exhaust and motions for summary judgment so that *pro se* prisoner  
13 plaintiffs will have fair, timely and adequate notice of what is required of them in order to  
14 oppose those motions. *Woods v. Carey*, 684 F.3d 934, 941 (9th Cir. 2012). The Ninth Circuit  
15 has set forth model language for such notices:

16 A motion for summary judgment under Rule 56 of the Federal Rules of Civil  
17 Procedure will, if granted, end your case.

18 Rule 56 tells you what you must do in order to oppose a motion for summary  
19 judgment. Generally, summary judgment must be granted when there is no genuine  
20 issue of material fact – that is, if there is no real dispute about any fact that would  
21 affect the result of your case, the party who asked for summary judgment is entitled  
22 to judgment as a matter of law, which will end your case. When a party you are  
23 suing makes a motion for summary judgment that is properly supported by  
24 declarations (or other sworn testimony), you cannot simply rely on what your  
25 complaint says. **Instead, you must set out specific facts in declarations,  
depositions, answers to interrogatories, or authenticated documents, as  
provided in Rule 56(e), that contradict the facts shown in the defendant's  
declarations and documents and show that there is a genuine issue of material  
fact for trial. If you do not submit your own evidence in opposition, summary  
judgment, if appropriate, may be entered against you. If summary judgment**

  
BRIAN A. TSUCHIDA  
United States Magistrate Judge